

THE BANK OF HAWAII

LIMITED.

Incorporated Under the Laws of the Territory of Hawaii.

CAPITAL, SURPLUS AND PROFITS
\$1,014,665.39

OFFICERS.

Charles M. Cooke, President
F. C. Jones, First Vice-President
F. W. Macfarlane, Second Vice-President
C. H. Cooke, Cashier
C. H. Cooke, Jr., Assistant Cashier
F. B. Damon, Assistant Cashier
Zeno K. Myers, Auditor

DIRECTORS: Chas. M. Cooke, P. C. Jones, F. W. Macfarlane, E. F. Bishop, E. D. Tenney, J. A. McCandless, C. H. Atherton, C. H. Cooke, F. B. Damon, F. C. Atherton.

COMMERCIAL AND SAVINGS DEPARTMENTS.

Strict attention given to all branches of Banking

JUDD BUILDING, - FORT STREET.

Claus Spreckels. Wm. G. Irwin.

Claus Spreckels & Co.

BANKERS

HONOLULU, H. T.

San Francisco Agents—The Nevada

National Bank of San Francisco.

DRAW EXCHANGE ON

SAN FRANCISCO—The Nevada National

Bank of San Francisco.

LONDON—Union of London & Smith's

Bank, Ltd.

NEW YORK—American Exchange National

Bank.

CHICAGO—Corn Exchange National

Bank.

PARIS—Credit Lyonnais.

BERLIN—Dresdner Bank.

HONGKONG AND YOKOHAMA—The

Hongkong and Shanghai Banking

Corporation.

NEW ZEALAND AND AUSTRALIA—

Bank of New Zealand, and Bank of

Australia.

VICTORIA AND VANCOUVER—Bank

of British North America.

TRANSACT A GENERAL BANKING

AND EXCHANGE BUSINESS.

Deposits Received, Loans Made on

Approved Security, Commercial and

Travelers' Credits Issued. Bills of

Exchange Bought and Sold.

COLLECTING PROMPTLY AC-

COUNTED FOR.

ESTABLISHED IN 1858.

BISHOP & CO.

BANKERS

Commercial and Travelers'

Letters of Credit issued on the

Bank of California and The London

Joint Stock Bank, Limited,

London.

Correspondents for the Amer-

ican Express Company, and

Wm. Cook & Son.

Interest allowed on term and

Savings Bank Deposits.

THE YOKOHAMA SPECIE BANK

Limited.

ESTABLISHED 1880.

Capital Subscribed.....Yen 24,000,000

Capital Paid Up.....21,000,000

Reserve Fund.....15,700,000

HEAD OFFICE, YOKOHAMA.

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Honolulu, New York, San Francisco,
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Dairen, Newchwang, Leiyang, Peking,
Hangkew, Shanghai, Chefoo, Tientsin,
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saki, Tokio, Osaka.

The Bank buys and receives for Col-
lection Bills of Exchange, Issues Drafts
and Letters of Credit, and transacts a
general banking business.

Honolulu Branch 67 King Street

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STANDARD OIL CO.'S DEFENSE

THE COMPANY ISSUES A STATEMENT GIVING ITS SIDE OF THE
TWENTY-NINE MILLION DOLLAR FINE CASE—SOME ALLEGA-
TIONS WHICH MAKE THE CONVICTION AND FINE APPEAR TO BE
A GROSS INJUSTICE.

(Statement of James A. Moffett, Presi-
dent, Standard Oil Co., of Indiana.)
The Court having pronounced its
judgment in the case of the United
States vs. Standard Oil Company, of
Indiana, there can now be no improp-
riety in stating our position to the
American people.

The facts in this case are simple
and easily understood. The Standard
Oil Company, of Indiana, was convicted
of receiving what the Government
claimed was a concession from the
Chicago & Alton in the shipment of
oil from its refinery at Whiting, Indi-
ana, to East St. Louis, Illinois. It must
be borne in mind that there is no ques-
tion of rebate or discrimination in
this case. The contention of the gov-
ernment was that the lawful rate was
18 cents per one hundred pounds be-
tween these two points. The defend-
ant claims: First, that the lawful rate
was 6 cents; and, secondly, if 6 cents
was not the lawful rate it was the rate
issued to the Standard by the Alton as
the lawful rate, and the Standard was
justified in believing from its own in-
vestigation and from the information
received from the Railroad Company
that 6 cents was the lawful rate.

The 18-cent rate was a "class" and
not a "commodity" rate, and the chair-
man of the Chicago & St. Louis Traffic
Association, the association issuing
the 18-cent class rate, under oath testi-
fied that it was never applied and was
never intended to apply to oil.

The period of time covered by the
indictment in this case was from Sep-
tember 1st, 1903, to March 1st, 1905.
The rate on oil between Chicago and
East St. Louis over the Alton for four-
teen years, from 1891 to 1905, was al-
ways 6 cents per one hundred pounds.
This was an open published rate known
in all railroad circles in Chicago. Both
Chicago and East St. Louis being in
Illinois, the railroad company was under
no legal obligation to file this rate
with the Interstate Commerce Commis-
sion at Washington, but Whiting, be-
ing in Indiana, shipments from Whit-
ing to East St. Louis were technically
at least, interstate and hence the Al-
ton filed with the Interstate Commerce
Commission what is known as an "ap-
plication sheet" applying to Whiting
the Chicago rate, and deemed the fil-
ing of the application sheet all that
was necessary under the law.

For over thirty years, by custom,
all of the little industrial towns
grouped about Chicago and which are
in reality an essential part of Chicago
and go to make up its industrial
strength, have been given the same
freight rates as Chicago. The reason
for this is, of course, apparent, and it
is because of this uniformity of freight
rates that Chicago as the center of this
group is today a city of over two mil-
lions of inhabitants. If Whiting, Pull-
man, Hegewisch and South Chicago
did not get the same freight rates as
Chicago, manufacturing establishments
in these towns would be compelled to
close their doors. Because of this con-
dition and situation railroads created
what is known as the Chicago Switch-
ing District, which includes Whiting
and all of these other little manu-
facturing towns in and around Chicago.
These towns are further unified by a
belt line railroad which encircles Chi-
cago and connects this entire indus-
trial system with the trunk lines radi-
ating from Chicago.

Thousands of tons of freight have
been shipped from these points during
the past fifteen years under the same
circumstances as the Standard ship-
ments, and if the Standard is guilty in
this case, so is practically every other
shipper in this great manufacturing
territory. Is there a purpose in select-
ing the Standard as the victim?

The Chicago & Eastern Illinois Rail-
road also runs between Whiting and
East St. Louis. The Standard Oil Com-
pany shipped about one-third of all the
oil that went from Whiting to East
St. Louis over the Eastern Illinois, the
other two-thirds going over the Alton
and the Burlington. On the trial
of the case the defendant offered to
show by witnesses who were on the
stand that not only during the period
of time covered by the indictment, but
continuously from 1895, the Eastern
Illinois had a lawful published and
filed rate between Whiting and East
St. Louis on oil of 6 cents per one hun-
dred pounds and that the Standard Oil
Company shipped at such rate over the
Eastern Illinois more than two thou-
sand cars of oil each year during
said period. To this offer the Govern-
ment through its attorneys strenuously
objected and the Court sustained the
objection. The defendant contended,
and still does contend, that this
proof would have conclusively shown
that the Standard Oil Company had no
possible motive in shipping over the
Alton, and thereby violating the law,
when it might just as readily and con-
veniently have shipped all of its oil
over the Eastern Illinois and not have
violated any law.

The defendant also offered to prove

that packing house products, during
the same period of time, were carried
between these same points under a
"commodity" rate for 10 cents; malt,
7 cents; brick, 5 cents; cornmeal, 7
cents; resin, 6½ cents; starch, 8 cents;
peas, beans and popcorn, 8 cents; lin-
seed oil in tank cars, 8 cents; glyce-
rine, 6 cents. The Court again sus-
tained the objections of Government
counsel and thus again prohibited us
from showing the jury how absurd was
the Government's claim that the rate,
for example, on linseed oil was 8 cents,
while on petroleum oil it was 18 cents.
Under such circumstances, and in
view of the fact that petroleum had
been openly carried over the three
roads from Whiting to East St. Louis
for from ten to fourteen years for 6
cents, what a draft it is on human cred-
ulity for the prosecution to assert
that 18 cents was the only possible
lawful rate!

The uncontradicted evidence also
showed that the Standard Oil Com-
pany was advised by the Rate Clerk of
the Chicago and Alton that this 6 cent
rate was filed with the Interstate Com-
merce Commission.

Knowing that the rate on the East-
ern Illinois was but 6 cents; having no
reason for shipping over the Alton in
preference to the Eastern Illinois, and
able to ship all of its oil over the lat-
ter road, we insist that the facts,
many of which the Court did not per-
mit us to show, not alone demonstrate
innocence but inherently forbid the
idea of guilt.

We further insist that whatever may
be one's technical view of the law re-
lating to the above questions, every
equitable consideration is with the de-
fendant, and if the only desire was to

BAND TONIGHT.

The Hawaiian band will give a pub-
lic concert tonight at Ala Park, com-
mencing at 7:30 o'clock. Following is
the program:

PART I.

March—"Stars and Stripes Forever"
Sousa
Overture—"Welcome".....Rollison
Intermezzo—"Cherry".....Albert
Selection—"Maritana".....Wallace

PART II.

Vocal—Hawaiian Songs, arr. by Berger
Selection—"American Melodies".....Conterno
Waltz—"The Sylens".....Walteufel
Polka—"A Good Kiss".....Coote
"Star Spangled Banner."

A DENIAL.

John Paaluhl, in filing his answer
to his wife Luka Paaluhl for divorce,
enters a general denial of all the al-
legations set forth in the bill.

WANTS DIVORCE.

A petition for divorce was today filed
by Hannah Lloyd who asks for re-
lease from her union with Arthur V.
Lloyd on grounds of non-support.
There are four young children which
the plaintiff wishes to be given the
custody of.

If you would be happy lend yourself
to good deeds and don't borrow trou-
ble.

give this defendant a "square deal"
this prosecution would never have been
instituted.

The American public not only be-
lieves in fair play in the abstract, but,
with all the facts before it, it has the
capacity to determine whether a de-
fendant, rich or poor, has received a
"square deal."

For all these reasons the Standard
Oil Company asserts that it is not even
technically guilty and that it ought
never to have been prosecuted because
of the claimed failure of a railroad
company—which has neither been in-
dicted nor prosecuted—to file its tariff,
and that the prosecution of this de-
fendant under the circumstances of
this case is a prostitution of the spirit
and the high purpose of the Interstate
Commerce Act.

KAUAI ALSO WANTS CONVICTS

SENDING PRISONERS TO WORK
AT VOLCANO STIRS AMBITIONS
OF THE GARDEN ISLAND.

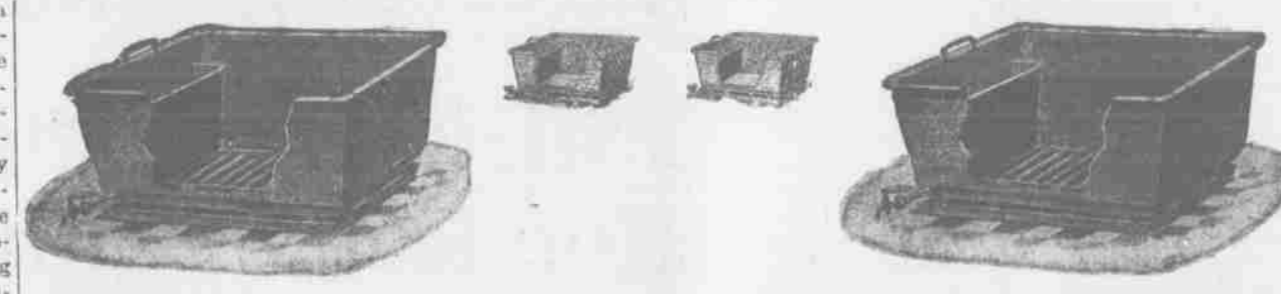
LIHUE, August 31.—The Garden Isl-
and says:

Governor Frear's acceptance of Ex-
Secretary Atkinson's idea to make Ha-
waii's attraction, Kilauea, easier of
access, ought to be very gratifying to
Hawaii and also to the other counties.
It is the idea to have the new road
built by convict labor, and it is this
circumstance that is interesting Kauai
and Maui.

So far Oahu, or strictly speaking
Honolulu has had a monopoly of the
convict labor and the consequent ad-
vantages of having roads built where
else trails would have had to suffice.
The Territory as a whole has had to
support the prisoners, however, or in
other words to dig for the convenience
of Honolulu. Of course, this was but
what was done in every other branch
of expenditures under the old cen-
tralized system of paternalism, but it
has been continued after county gov-
ernment was established, and Kauai,
Maui and Hawaii are now docked
for the support of the prisoners who
are working in quarries on streets and
in parks for the beautification of Hon-
olulu, and Honolulu only.

The employment of prison labor in
road building will not reduce the
chances for this kind of work for the
citizens who are looking for it. The
prisoners have got to be supported by
the community whether they work or
are idle, whether it comes out of one
fund or another. But where they are
used in road building the public gets
immediate return for the money ex-
pended in their maintenance in the
shape of additional roads with but
little extra outlay.

Here on Kauai we are anxious to
ease our means of communication by
improving our roads. The county ad-
ministration has been very successful



"GURNEY"

The Only Cleanable
REFRIGERATOR

Be not deceived by Idle Talk and arguments put forth in favor
of other Cleanable Refrigerators. There is only one on the mar-
ket and that is the one we tell you about.

WITH THE

Removable Ice Compartments

Which is characteristic only of the "Gurney" you can clean the
whole Refrigerator with boiling water as much as you like.
Every nook and corner is accessible, for when removable com-
partments and shelves are out only the four walls remain—and
these are water proof.

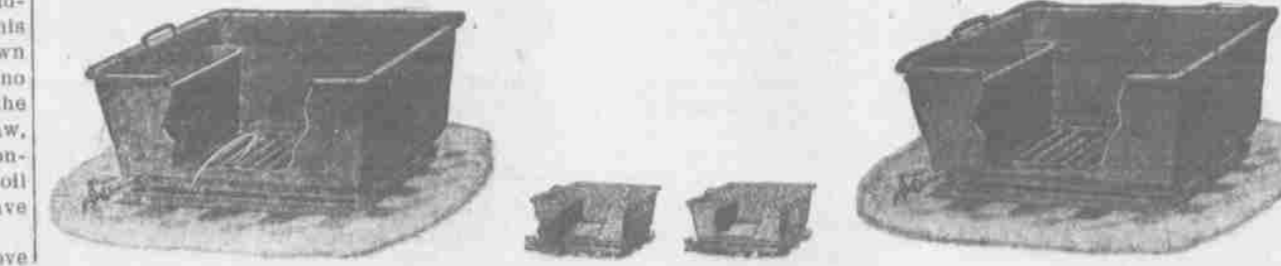
Therefore Germ Proof

theories and ideas are only realized and chrystalized in the con-
struction of the Gurney.

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In this line of work as far as the re-
sources of the county have allowed it
to go, but though rich and small, the
Public Works Department left the
county some pretty tough propositions
in the line of roads and the additional
stretch that prison labor would give
to the county's cash would come in
handy.

THE CAUSE.

The first causes of Indigestion, Bil-
iousness, Loss of Appetite, Headache,
Dizziness, etc., is constipation. Don't
take cathartics, as they irritate the
lining of the bowels, and are only a
temporary relief. Dr. Miles' Nerve
and Liver Pills permanently cure by
strengthening the nerves of the stom-
ach and liver. They effect a mild,
natural movement.

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Why buy your flowers elsewhere
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CLOTHES CLEANED
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is now with us. No one in town to
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Railroad

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ComfortThree trains daily, through cars,
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now.

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GENERAL AGENT.

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SAN FRANCISCO.

Fraternal Meetings

HARMONY LODGE NO 3, I. O. O. F.

Meets every Monday evening, at 7:30
in Odd Fellows' Hall, Fort Street. Vis-
iting brothers cordially invited to at-
tend.

W. F. GEHRING, N. G.

E. R. HENDRY, Sec.

HONOLULU LODGE 616, B. P. O. E.
will meet in their hall, King street,
near Fort, every Friday evening. By
order of the E. R.

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BOILERS, COOLERS, IRON, BRASS
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Machinery of Every Description
Made to Order. Particular Attention
paid to Ship's Blacksmithing. Job
Work Executed on Short Notice.

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and Men's White and Silk Shirts.

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Ladies' Silk Shirt Waists;

Ladies' White Shirt Waists;

Ladies' White Under Waists.

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MERCHANT TAILOR.

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Rates a Specialty.
Rates very reasonable. Give us a
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WITH LOTS OF MONEY.

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GOOD Bread the only HOME-MADE
BREAD in town. All kinds of cakes
our specialty. Wagon delivery through
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CLEANED AND PRESSED

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Alakea St., near King. Phone Main 148

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ideas imitated if they buy here.
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nese Grass Linens, Ladies' Shirt Waist
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